

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MERILYN ANNE ZAUBZER,

Petitioner,

v.

ALEXANDER GROVES,

Respondent.

Case No. [21-cv-07733-DMR](#)

ORDER TO SHOW CAUSE

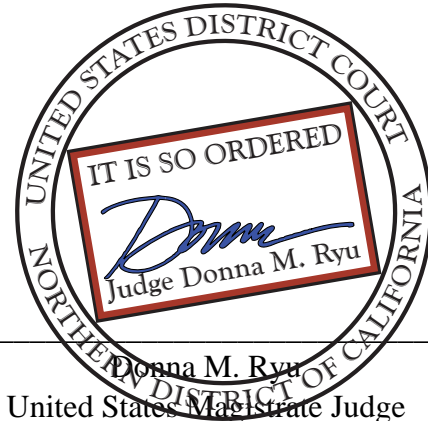
The court has reviewed Petitioner Marilyn Anne Zaubzer's petition for the return of her child B.G. under the Hague Convention on the Civil Aspects of International Child Abduction ("Hague Convention") and the International Child Abduction Remedies Act ("ICARA") ("Pet.") and Respondent Alexander Grove's Response ("Resp."). [Docket Nos. 1, 8.] The court has also reviewed Zaubzer's motion for relief under 22 U.S.C. § 9004(a). [Docket No. 15.]

This court has original jurisdiction over a petition arising under the Hague Convention pursuant to 22 U.S.C. § 9003(a). Under 22 U.S.C. § 9003(b) such an action is properly venued in "any court . . . which is authorized to exercise its jurisdiction in the place where the child is located at the time the petition is filed." *Compare* 28 U.S.C. § 1391(b)(2) (venue proper in "a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated."). Although a substantial part of the events in this action took place in San Francisco, according to the papers Zaubzer and B.G. are currently residing in Nevada City, California, and were so residing at the time the petition was filed. Pet. ¶ 29; *see also* Resp. ¶ 76 ("B.G. is currently in [Zaubzer's] care"); Decl. of Marilyn Anne Zaubzer ¶ 25 [Docket No. 17]. Nevada City is located in Nevada County, which is in the Eastern District of California. Based on the face of the Petitioner's filings, it does not appear that this action was properly venued in this district pursuant to 22 U.S.C. § 9003(b).

1 Accordingly, the parties are ordered to show cause why this matter should not be transferred to the
2 Eastern District of California. *See* 28 U.S.C. § 1406(a). The parties must file briefs of no more
3 than two (2) pages in length addressing venue in this matter by **tomorrow, November 16 at 5:00**
4 **p.m. P.T.**

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7 **IT IS SO ORDERED.**

8 Dated: November 15, 2021



Donna M. Ryu
United States Magistrate Judge

United States District Court
Northern District of California